

**REMARKS**

Favorable reconsideration, reexamination, and allowance of the present patent application are respectfully requested in view of the foregoing amendments and the following remarks.

**Allowable Subject Matter**

Applicant gratefully acknowledges the indication, at pages 1, 3, and 4 the Office Action, that Claims 1, 4-6, and 19 are allowed, and that the subject matters of Claim 9-18, 20, and 23-26 are free of the prior art.

**Rejections under 35 U.S.C. § 102**

In the Office Action, beginning at page 3, Claims 7 and 21 were again rejected under 35 U.S.C. § 102(b), as reciting subject matters that allegedly are anticipated by *Davis*. Additionally, Claims 7, 8, 21, and 22 were again rejected under 35 U.S.C. § 102(e), as reciting subject matters that allegedly are anticipated by U.S. Patent No. 6,367,138, issued to Newton *et al.* (“Newton”). Applicant respectfully requests reconsideration of these rejections.

Claim 7 relates to an installation tool for installing spiral threaded inserts having a combination of features including, *inter alia*, a single shaft including first means for receiving a first threaded insert over said first means, second means at said first means for anti-rotation retention and guidance of said first threaded insert, and third means for securing the first threaded insert on said first means.

Claim 21 relates to a method of installing spiral threaded inserts having a combination of steps including, *inter alia*, inserting a first threaded insert into an installation tool including pushing the first threaded insert over a receiver, and securing the first threaded insert with separate securing means in the installation tool to prevent the insert from falling from said receiver.

The prior art, including *Davis* and *Newton*, fails to identically disclose or describe devices or methods as recited in the combinations of the pending claims.

In the Amendment filed 11 January 2007, Applicant summarized portions of the

disclosure of *Davis*; Applicant will not further burden the record with redundant summaries, and merely incorporates by reference those discussions.

As described in this application, exemplary devices and methods embodying principles of the present application include an installation tool with a tool tip in form of a bolt (36) freely extending into space and ready to receive a threaded insert (38) by being pushed over said bolt. As the bolt has no external thread, the threaded insert can be easily pushed over the bold to be secured against rotation around the longitudinal axis of the tool by means of a slot (39), and to be secured against falling off by means of a securing thread (28). Thus, the exemplary tool has a free tip, which receives, secures, and drives the threaded insert.

The installation tools of *Davis* and *Newton*, on the other hand, both use a receiving and driving unit (20 in *Davis* and *Newton*) surrounded by a guiding tube (12 in *Davis*, 44 in *Newton*), which has a threaded guiding section (19 in *Davis*, 58 in *Newton*) at its tip. This guiding section receives and surrounds the threaded insert, such that the guiding section must be placed exactly over the threaded hole, into which the threaded insert is to be inserted (see Fig. 3 of *Newton*, Fig. 4 of *Davis*). Optical inspection of the insertion process is not possible, because to the guiding section completely covers the entrance of the threaded hole.

Thus, neither *Davis* nor *Newton* discloses or describes devices or methods that include each and every element or step recited in the combinations of Claims 7 and 21.

For at least the foregoing reasons, Applicant respectfully submits that the subject matter of Claims 7, 8, 21, and 22 are not anticipated by *Davis* or *Newton*, the claims are therefore not unpatentable under 35 U.S.C. § 102, and therefore respectfully requests withdrawal of the rejection thereof under 35 U.S.C. § 102.

## Conclusion

Applicant respectfully submits that this patent application is in condition for allowance. An early indication of the allowability of this application is therefore respectfully solicited.

If Mr. Cozart believes that a telephone conference with the undersigned would expedite passage of this patent application to issue, he is invited to call on the number below.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. If, however, additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and the Commissioner is hereby authorized to charge fees necessitated by this paper, and to credit all refunds and overpayments, to our Deposit Account 50-2821.

Respectfully submitted,

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